

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1-8B and 12. These sheets, which include Figs. 1-8B and 12, replace the original sheets including Figs. 1-8B and 12.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-9, 11-12, and 14-20 are currently pending, Claims 1, 3-5, 8-9, 11-12, and 14-20 having been amended, Claims 2, 10, and 13 having been canceled without prejudice or disclaimer. The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example, on original Claims 2, 10, and 13.

In the outstanding Office Action, the drawings were objected to; the specification was objected to; Claims 3-5, 7-8, 14-16, and 18-19 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; Claims 1-5, 10-16, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (see specification at Figures 1-8B and 12; page 1, line 11 to page 2, line 22; and page 5, line 26 to page 16, line 5, hereafter "AAPA") in view of Ribas Corbera (U.S. Patent No. 6,831,947, hereafter "Corbera"); and Claims 6-8 and 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Corbera and Yamamoto et al. (U.S. Patent No. 6,078,615, hereafter "Yamamoto").

With respect to the objection to the drawings, Applicants respectfully submit that the amendments to the drawings, as suggested in the Office Action, overcome this ground of objection.

With respect to the objection to the specification, Applicants respectfully submit that the amendments to the specification, as suggested in the Office Action, overcome this ground of objection.

With respect to the rejection under 35 U.S.C. §112, second paragraph, Applicants respectfully submit that the amendments to the claims overcome this ground of rejection.

With respect to the rejection of Claim 1 under 35 U.S.C. §103(a), Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection.

Amended Claim 1 recites, *inter alia*,

quantizing parameter generating means for generating the quantizing parameter based on reference data defined based on a code amount assigned to the image data as a subject of coding and of the change amount data representative of the change amount of the quantizing parameter acquired by the change amount data acquiring means.

Applicants respectfully submit that AAPA and Corbera fail to disclose or suggest at least these features of amended Claim 1.

AAPA describes standards for compressing and quantizing image data, such as the H.26L standard and a TestModel of MPEG2 defined to carry out adaptive quantization.

The Office Action admits that AAPA fails to disclose or suggest a relationship between a complexity index and change amount data. The Office Action relies on Corbera to remedy the deficiencies of AAPA.

Corbera describes a method for adaptive quantization of video frames. With regards to original Claims 2, 10, and 13, the Office Action takes the position that Corbera discloses generating a quantization parameter based on reference data defined based on a code amount assigned to the image data as a subject of coding and of the change amount data acquired by the change amount data acquiring means (see Office Action at page 6, citing col. 13, lines 37-39 and 58-63 of Corbera). The Office Action takes the position that a base quantization step size (Q_{vbr}) of Corbera corresponds to the claimed reference data. The Office Action also takes the position that Corbera describes the claimed change amount data by halving or doubling Q_{vbr} (see Office Action, at page 6). Thus, the Office Action asserts that the change amount data corresponds to a change in the amount of reference data. However, the claimed

change amount data is defined as a change amount of the quantizing parameter, and therefore does not correspond to a change in the amount of the reference data.

Therefore, Corbera fails to disclose or suggest quantizing parameter generating means for generating the quantizing parameter based on reference data defined based on a code amount assigned to the image data as a subject of coding and of the change amount data representative of the change amount of the quantizing parameter acquired by the change amount data acquiring means, as defined by amended Claim 1.

Therefore, Corbera fails to remedy the deficiencies of AAPA. Thus, amended Claim 1 patentably distinguishes over AAPA and Corbera, either alone or in proper combination.

Yamamoto has been considered, but fails to remedy the deficiencies of AAPA and Corbera. Thus, amended Claim 1 patentably distinguishes over AAPA, Corbera, and Yamamoto, either alone or in proper combination.

Amended independent Claims 9, 11, 12, and 20 recite features similar to those of amended Claim 1. Thus, amended Claims 9, 11, 12, and 20 (and all associated dependent claims) patentably distinguish over AAPA, Corbera, and Yamamoto, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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